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**UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of: **Toshiro OMORI et al.**

Group Art Unit: **1655**

Application Number: **10/511,725**

Examiner: **Amy Lynn CLARK**

Filed: **October 19, 2004**

Confirmation Number: **2520**

For: **COMPOSITION OBTAINED FROM BARLEY SHOCHU STILLAGE AND HAVING ACTIVITY OF INHIBITING ONSET OF ALCOHOLIC HEPATOPATHY AND ACTIVITY OF HEALING IT AS WELL AS EXCELLENT PALATABILITY, AND PROCESS FOR PRODUCING THE SAME**

Attorney Docket Number: **042872**

Customer Number: **38834**

**RESPONSE TO ELECTION OF SPECIES AND RESTRICTION REQUIREMENT**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

December 20, 2007

Sir:

This paper is filed in response to the Office Action dated September 24, 2007. A Petition for the second month extension of time is being concurrently filed, making a response due on or before December 24, 2007. Applicants hereby elect the invention of Specie A) Claims 1-5, 7 and 27 (Election 1: Claim 5), for initial prosecution in this application. Applicants further select aromatic synthetic absorbent of claim 7. This election is made without traverse, and it is understood that Applicants' rights to the filing of a divisional application directed to the non-elected subject matter under 35 U.S.C. § 120 and 35 U.S.C. § 121 are retained. If any additional fees are due in connection with this paper, please charge Deposit Account No. 50-2866.

Respectfully submitted,

**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**

*Handwritten signature of Michael J. Caridi*

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